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CONCLUSIONS AND RECOMMENDATIONS OF THE INTERNATIONAL CONFERENCE ON PREVENTING AND CONTROLLING MONEY-LAUNDERING AND THE USE OF THE PROCEEDS OF CRIME: A GLOBAL APPROACH

Report and recommendations of the International Conference on Preventing and Controlling Money-Laundering and the Use of the Proceeds of Crime: A Global Approach
(Courmayeur, Italy)

Note by the Secretary-General

The Secretary-General has the honour to transmit herewith to the World Ministerial Conference on Organized Transnational Crime, pursuant to Economic and Social Council resolution 1994/12 of 25 July 1994, the report of the International Conference on Preventing and Controlling Money-Laundering and the Use of the Proceeds of Crime: A Global Approach, held at Courmayeur, Italy, from 18 to 20 June 1994.

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INTERNATIONAL CONFERENCE ON PREVENTING AND CONTROLLING MONEY-LAUNDERING AND THE USE OF THE PROCEEDS OF CRIME: A GLOBAL APPROACH

Courmayeur, Italy, 18-20 June 1994

Organized by the International Scientific and Professional Advisory Council of the United Nations crime prevention and criminal justice programme

In cooperation with the Government of Italy

Under the auspices of the Crime Prevention and Criminal Justice Branch
United Nations Office at Vienna

Report and recommendations

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INTRODUCTION

1. On the recommendation of the Commission on Crime Prevention and Criminal Justice at its second session, the Economic and Social Council adopted resolution 1993/30 of 27 July 1993, in which it welcomed with appreciation the initiative of the Government of Italy and the International Scientific and Professional Advisory Council (ISPAC) in organizing, under the auspices of the Crime Prevention and Criminal Justice Branch of the United Nations at Vienna, the International Conference on Preventing and Controlling Money-Laundering and the Use of the Proceeds of Crime: a Global Approach. The General Assembly also welcomed the initiative in its resolution 48/103 of 20 December 1993.

2. On the recommendation of the Commission at its third session, the Economic and Social Council adopted resolution 1994/13 of 25 July 1994, in which it expressed its appreciation to the Government of Italy and the International Scientific and Professional Advisory Council for organizing the Conference and recommended that the World Ministerial Conference on Organized Transnational Crime should take into account the conclusions and recommendations of the International Conference. It should be recalled that a similar recommendation had been made by the Commission on Narcotic Drugs in its resolution 5 (XXXVII) of 21 April 1994. The Conference was held at Courmayeur, Italy, from 18 to 20 June 1994. Its agenda is contained in annex I.

3. At the opening of the Conference, welcoming addresses were made by Mr. Serafino Cosson, Mayor of Courmayeur; Mr. Lodovico Passerin d'Entreves, Chairman, Fondazione Courmayeur Mont Blanc; Mr. François Stevenin, President, Regional Council, Aosta Valley; and Mr. Dino Vierin, President, regional government, Aosta Valley.

4. Opening statements were made by H.E. Mr. Alfredo Biondi, Minister of Justice, Italy; Hon. Mr. Maurizio Gasparri, Under-Secretary of the Ministry of the Interior, Italy; and Mr. Giorgio Giacomelli, Under-Secretary-General, Director General of the United Nations Office at Vienna and Executive Director of the United Nations International Drug Control Programme. An introductory address was made by H.E. Mr. Lamberto Dini, Minister of the Treasury, Government of Italy.

5. Approximately 250 representatives from 49 countries and intergovernmental and non-governmental organizations attended the Conference, as well as representatives from United Nations interregional, regional and affiliated institutes dealing with crime prevention and criminal justice and experts. The list of participants is given in annex II. A list of papers submitted to the Conference is given in annex III.

6. The Conference elected by acclamation Joseph M. Fenech (Malta) as the Chairperson. Ricardo Franco Guzman (Mexico), Vladimir Koudriavtzev (Russian Federation), Ackaratorn Chularat (Thailand) and Faouzi Ben Abdelkader (Tunisia) were elected to serve as Vice-Chairpersons. Ernesto U. Savona (Italy) was elected to serve as Rapporteur.

7. The Conference noted that money-laundering had acquired a global character and thus required a vigorous multi-disciplinary approach, and priority attention, at the international and national levels. In that connection, the Conference noted the need to enhance the efforts of the United Nations because of its global constituency, of the Financial Action Task Force (FATF) established by the heads of State or Government of seven major industrialized countries (Group of Seven) and the President of the Commission of the European Communities at the fifteenth annual economic summit held in Paris in June 1989, and of other international and regional organizations, in the fight against money-laundering activities. Conference participants noted that there was an urgent need to strengthen international and national efforts and to expand the scope and application of measures which had already proved useful, such as the FATF recommendations.[1] There was also a need to coordinate the provision of technical assistance to Governments, enabling them to design and apply their own strategies and strengthen their

appropriate mechanisms for the prevention and control of money-laundering. It was recognized that it was necessary to involve all the relevant sectoral organizations in this operation, including law enforcement, judicial, banking and financial communities.

I. AN INCREASINGLY AND UNDENIABLY GLOBAL PROBLEM

8. The Conference detailed numerous manifestations of the increased internationalization of criminal activities and of the globalization of money-laundering. The geographic expansion of the activities of the most notable transnational criminal organizations were described with respect to the accumulation of proceeds not only from drug trafficking but also from all serious crimes for profit, national and transnational, as well as from other methods of serious economic distortion such as usury. The increased professionalism of their activities and sophistication of the schemes used to launder the proceeds of those crimes were described, and the progressive separation of money-laundering as an independent criminal service.

9. Trends in money-laundering techniques were increasing in sophistication and complexity. Organized criminal groups were, inter alia: (a) taking advantage of weaknesses in national regulatory schemes; (b) resorting to flexible and rapid transfers and movement of assets across national boundaries; (c) exploiting the diversity of business regulations within and between national systems, particularly by using multiple business vehicles in different countries to conceal the origin of funds, ownership and control; and (d) benefiting from the assistance of professional categories which were unregulated and from those which were regulated but did not carry out effective self-control on matters of legal and ethical violations. Those trends demonstrated the global nature of the phenomenon and the need for developing effective means to remove or at least to reduce those and other opportunities exploited by money-launderers.

II. TRENDS EMERGING FROM GLOBAL RECOGNITION OF NECESSARY PREVENTION AND CONTROL POLICIES

10. The trends in criminal money-laundering activity were a consequence of the increasing demand from money-laundering services and the counter-pressures exerted by anti-money-laundering responses. Those responses had two principal goals. The first goal was to increase the risk of law enforcement, that was the risk of apprehension for the individual criminal or criminal enterprise and the risk of seizure of criminal assets. The seizure risk furnished the more effective deterrent against organized criminality, which could easily manage the apprehension risk by simple overstaffing and other personnel management practices. The second goal was the defensive one of protecting the legitimate economy and financial system from, inter alia, unfair competition from low-cost criminal proceeds against legitimate capital on which taxes had been paid.

11. Measures which had been recognized as effectively increasing the law-enforcement risk were the criminalization of money-laundering operations, forfeiture operations, restriction of bank secrecy in money-laundering inquiries, use of evidence-gathering techniques appropriate to overcoming the secrecy and the consensual nature of money-laundering offences, such as undercover operations and electronic surveillance, and international cooperation mechanisms which permitted virtually immediate communication and action by all the authorities concerned without obstructive formality.

12. A parallel trend was the recognition that preventive/regulatory mechanisms were an equally essential element of anti-money-laundering policies to defend the transparency of economic/financial systems and simultaneously to produce a complementary effect with control policies. The

preventive/regulatory mechanisms were those made familiar to all by the Basel Declaration[2] and the FATF recommendations; among others were the "know your customer" rule, recording and record-keeping requirements, reporting of suspicious transactions, immunity/indemnity for bank representatives reporting suspicious transactions, application of preventive/regulatory policies to non-bank institutions and businesses and professions which offered financial services. In that regard, it was necessary to recognize that regulatory schemes did burden banks and other supervised institutions, which should not be made to bear a disproportionate share of the costs of cooperation against money-laundering.

III. GAPS IN THE ANTI-MONEY-LAUNDERING NET: WHAT NEEDED TO BE DONE

13. The discussion and background documents revealed the absence of an effective and comprehensive global anti-money-laundering net which needed to be established in order to prevent money-launderers from simply moving their activities from one country to another or from one financial sector to another to avoid regulatory and control efforts. The failure of some countries to establish their own protective nets simply frustrated the efforts of neighbouring countries that had done so. Many countries had little established governance or experience in regulating complex state-of-the-art financial operations, and few had effective relations with the private financial (banking and non-banking) sector to ensure the coordination or cooperation needed to identify suspected activities. Gaps in the money-laundering net were geographic with the principal prevention or control efforts concentrated in western Europe, North America, Australia and in the more developed countries of Asia. Other gaps were sectoral, i.e. non-bank financial institutions; businesses and professions which furnished financial services but were largely unregulated; and offshore business and financial institutions which were inadequately regulated. Other gaps related to failure to implement recognized anti-money-laundering measures, such as failure to ratify the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[3] or to enact the necessary implementing legislation, failure to effectively implement the 40 recommendations drawn up by FATF; failure to effectively enforce anti-money-laundering regulations and legislation, once enacted; and finally, failure to control professions engaged in financial activities. Legislation was only the first step in the process of bringing the problem under control, and it might well be easier to get legislation enacted than to effectively enforce it in many countries.

IV. IMPLEMENTATION PRIORITIES

14. The Conference strongly urged that it would be counter-productive for a global approach to the prevention and control of money-laundering to recommend anything less than the full implementation of the 1988 Convention, regardless of any liberalization, the Basel Declaration and the 40 FATF recommendations. The challenge was to build a social defence system with administrative and regulatory tools, designed to make it difficult for services to be used for criminal purposes, buttressed by criminal law. As a credible deterrent, criminal law would continue to play an essential role. Anti-money-laundering measures were to be seen as a part of a coherent and global crime policy which should give priority to the fight against serious crime, especially against organized crime, which had a corrosive effect on economy and society. Nevertheless, certain needs commanded a worldwide degree of recognition as to the urgency of their implementation. Those priorities are discussed below.

A. Criminalization of the laundering of drug and non-drug criminal proceeds

15. Criminalization of drug money-laundering offences was required for States parties to the 1988 Convention. Expansion of criminalization to the laundering of the proceeds of other serious crimes was the trend, as evidenced by, inter alia, the Council of Europe Convention on the Proceeds from Crime, the political declaration by Commonwealth Heads of State and Governments and the domestic

legislation of a number of countries with substantial experience in the field. Such criminalization would also solve problems of dual criminality encountered in international cooperation procedures.

B. Limitation of bank secrecy

16. Limitation of financial secrecy was a sine qua non of serious money-laundering control and of sincere international cooperation.

C. "Know your customer" rule

17. Application of the "know your customer" rule of the Basel Declaration and the FATF recommendations, particularly with respect to abolishing anonymous bearer accounts and identification of the real party in interests being represented by a nominee, should be another basic test of the effectiveness of a country's money-laundering prevention policies.

D. Identification and reporting of suspicious transactions

18. Identification and reporting of suspicious transactions needed to be permitted and encouraged by legislation fully protecting representatives of financial institutions from any liability for good-faith reporting of suspicious transactions. The expansion of at least the reporting requirements to cover the proceeds of all serious crime was one of the effective steps to preventing a situation in which a financial institution may not report a clearly suspicious transaction without knowing precisely what crime resulted in those proceeds. When reporting was permitted, it seemed self-evident that notice of that report, or of an official inquiry about a transaction, should not be given to the client.

E. Improved regulation of businesses or professionals conducting financial operations

19. Improved regulation or other preventive measures were being found to be necessary to prevent money-laundering activity being displaced from tightly supervised banks and financial institutions to non-supervised businesses and professions which offered financial services. Such measures could be requirements that all transactions of a certain type or magnitude be conducted through an authorized financial intermediary (termed "channelization"), or could impose certain identification, recording and/or reporting requirements on the offerer of financial services, but they must avoid the consequence whereby money-laundering was simply displaced from supervised banks to a wholly unregulated informal financial sector. Moreover, certain professions which have traditionally been unregulated or self-regulating could not be assumed to act effectively in implementing a self-regulating mandate. Therefore, legislative standard-setting might be necessary. It was, moreover, necessary to fight what was termed "reputation laundering", i.e. the process of acquiring respectability in a new environment. It should therefore be appropriate that the professional groups concerned promoted behavioural codes, including a range of disciplinary sanctions up to the exclusion of those members who brought disrepute to their own group, in order to safeguard the reliability of that profession. Moreover, it was clear that the launderer was aware of the various directives, recommendations and conventions requiring banks and financial institutions to follow current standard requirements of identification and reporting. The launderer was turning to other businesses which did not necessarily offer financial services.

20. The Conference therefore recommends that research and studies should be carried out to identify those businesses which may well serve the launderer and to determine the feasibility of extending the application of current reporting and other requirements to possible areas other than banking and financial institutions with the objective of preventing rather than simply attempting to prosecute money-laundering, with all the difficulties that the latter course of action implies.

F. Asset forfeiture

21. Increased asset forfeiture and the availability of provisional measures, such as freezing or seizing of assets, contributed to a universally developing trend which could profitably be broadened beyond drug proceeds, always with due respect for the procedural guarantees for property rights established by national law. Asset forfeiture must be possible also for the proceeds of crimes committed abroad.*

G. Workable international cooperation mechanisms

22. Formal regulatory procedures, furnishing bank documents only after years of litigation and a lack of necessary legal instruments or administrative structures were obstacles which invited criminals to practice international money-laundering and to capitalize on collective governmental inertia and deficiencies. A further priority for implementation should be a rapid and uncomplicated mechanism for international cooperation in common administrative and legal matters. Mutual legal assistance arrangements which allowed the collection of admissible evidence were essential. Without such arrangements, national Governments would tend not to devote the needed investigative resources to international cases.

23. The Conference therefore recommends that international organizations or mechanisms should reinforce common strategies to combat money-laundering; that ways and means should be found for taking expeditious action in that sphere; and, in particular, that a consensus on the basic substantive elements of cross-border crimes and on legal norms regulating the procedure for mutual assistance between States in respect of such crimes should be sought and achieved in order to expedite the giving and receiving of such assistance in an area where speed is of the utmost importance.

V. A GLOBAL STRATEGY FOR A GLOBAL PROBLEM

24. Implementation of anti-money-laundering policies by legislation and regulation was a function of national sovereignty, and not every country would move spontaneously towards such implementation. When a country did not, the global nature of the money-laundering problem and the demonstrated need for a consistent global response suggested a three-level strategy. At the bilateral level those countries most adversely affected and those most able to cooperate with the non-implementing country should help it to achieve international minimum standards. Simultaneously, at the regional level, relevant organizations (broadly understood to include not only geographic but also political and cultural groupings such as the Commonwealth) should give such assistance and encouragement necessary to bring all of their members up to appropriate regional standards, which might even go beyond the 1988 Convention and the FATF recommendations, as have the European Community Money-Laundering Directive and the Council of Europe Convention on the Proceeds from Crime. At the international level, the appropriate organizations could contribute to the processes going on at the bilateral and regional levels. For the country which wished to do its part for the global protective network, assistance and encouragement should be available from friends and neighbours, from regional groupings and from the international community. Effective coordination was needed at the regional and international levels for strategies and efforts to promote relevant action at the national level and cooperation between countries.

25. The seven areas described in chapter IV above, sub-chapters A to G, as requiring immediate implementation were predicated on some assumptions about the presence of certain international and

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*The delegation of Japan, in a letter addressed to the organizers of the Conference, expressed its reservation with respect to paragraph 21 because of insufficient time to study the text.

national enforcement mechanisms. Key among them was the concept that a net or web operated at three complementary levels - international, regional and national - and that the national level might be further divided into penal, cultural and administrative mechanisms. Political support and adequate resources, inter alia, were said to be essential conditions for effective action at all three levels, and government and multilateral, regional and international institutions must allocate adequate means and facilities for dealing efficaciously to successfully regulate or control activities which enjoyed the benefit of a high level of sophistication and which might exploit a high volume of legitimate transactions to achieve concealment, as might be the case with wire-transfer technology.

26. Those assumptions were not necessarily valid in all cases. If not, a variety of modalities of technical assistance might be necessary at the national level: needs assessment; legislative assistance; infrastructure development assistance; personnel development; and training in all relevant sectors, including national and interstate cooperation; comprehensive strategies for all involved government agencies, inter-agency coordination and functional cooperation; and transfer and sharing of technology, development and research.

27. At the international level, at least, the following modalities might be necessary: needs assessment; treaty development in extradition and mutual assistance matters; compatibility of treaty schemes and procedures; enhancing cooperation and information sharing, not only at the judicial level but also among regulators and law enforcement agencies; the same type of management rationalization of overlapping organizations at the level of regional and international organizations; and continuing applied research on the incentives and disincentives needed (a) to promote cooperation by the private sector with Governments, and (b) to consolidate coordination and cooperation between Governments.

28. The overriding principle would be to establish effective operational mechanisms so that no person could place himself or herself above the law, and every person would be protected by the obligations of international, regional and domestic law for the protection of fundamental human rights.

Notes

[1] In relation to this and all further references to the FATF recommendations, the delegation of China reserves its position on their acceptability.

[2] See Statement of Principles of the Basel Committee on Banking Regulations and Supervisory Practices.

[3] E/CONF.82/15 and Corr.2.

Annex I

AGENDA

1. Adoption of the provisional agenda.

2. Election of officers.

3. Topic 1: Money trails: international money-laundering trends and prevention/control policies.

4. Topic 2: Developed/developing countries and economies in transition. Criminal opportunities for the laundering and use of the proceeds of crime.

5. Topic 3: Mechanisms of international control.

6. Topic 4: (a) Assessment of crime control policies.

   (b) Assessment of regulatory policies.

7. Topic 5: Technical cooperation in preventing and controlling the laundering and use of the proceeds of crime.

8. Conclusions and recommendations.

Annex II

LIST OF PARTICIPANTS

States Members of the United Nations

Argentina

Mariano Alberto Ciafardini, Director nacional de política criminal del Ministerio de Justicia de la República Argentina; Head of Delegation; Amelia Del Valle Vargas, Asesora de Gabinete de la Subsecretaría de Justicia del Ministerio de Justicia de la República Argentina; Alberto Patricio Santa Marina, Abogado; juez federal en lo Criminal y Correccional de Lomas de Zamora, Pcia Buenos Aires; Oscar O. Errecalde, Contador Público Nacional (U.B.A.); asesor mayor de la Dirección General Impositiva, Ministerio de Economía; miembro de la Comisión Mixta Dcto 1849/90; Martín Suarez Araujo, Abogado; juez federal en lo Criminal y Correccional de San Martín, Pcia Buenos Aires; Gustavo M. Hornos, Abogado; fiscal de la Camara Federal; Osvaldo F. Marolla, Contador Público Nacional; funcionario Dirección General Impositiva, Ministerio de Economía; miembro adjunto Comisión Mixta de contról de las operatorias relacionadas con el lavado del dinero del narcotráfico - Dcto 1849/90; Roberto E. Pirri, Contador Público Nacional; funcionario Banco Central; miembro adjunto Comisión Mixta de contról operatorias relacionadas con el lavado de dinero del narcotráfico - Dcto 1849/90; Patricia M. Llerena, Abogada; subgerente Asuntos Judiciales del Banco Central de la República Argentina; profesora de derecho penal, Universidad Buenos Aires, y de derecho penal económico, Universidad de Belgrano; Andrés Blanco, Contador Público Nacional; funcionario de Administración Nacional de Aduanas; miembro adjunto Comisión Mixta de contról operatorias relacionadas con el lavado de dinero del narcotráfico - Dcto 1849/90; Osvaldo S. Raimondi, Contador Público Nacional; coordinador general de Gabinete; Secretaría de Programación para la Prevención Drogadicción y Lucha contra el Narcotráfico, Presidencia de la Nación; miembro de la Comisión Mixta de contról operatorias relacionadas con el lavado de dinero Dcto 1849/90; Jose Andrés Pastorini, Contador público; funcionario de la Secretaría de Programación para la Prevención Drogadicción y la Lucha contra el Narcotráfico, Presidencia de la Nación; Nestor Perl, Ministro plenipotenciario; ex profesor derechos humanos y individuales, Embajada de Argentina.

Australia

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Austria

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Ireland

Mary Dardis, Crime Division, Department of Justice; Head of Delegation

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Malawi

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Malta

Joseph M. Fenech, Minister of Justice; Head of Delegation; Silvio Camilleri, Assistant to the Attorney General; Herbert Zammit, Manager Banking Supervision, Central Bank of Malta; Pierre Cauchi, Private Secretary to the Minister of Justice.

Mexico

Ricardo Franco Guzman, Vice procuratore, Procuradoría general de la República; Head of Delegation; Luz Nuñez, Money Laundering Administrator, Ministry of Finance; Miguel Angel Hernández Muñoz, Agente del Ministerio Público Federal Adscrito al Centro de Planeación para el Control de las Drogas para Lavado de Dinero.

Monaco

Claude Cottalorda, Chargé de Mission, SICCFIN, Ministère d'Etat; Head of Delegation

Netherlands

Petrus C. Van Duyne, Ministry of Justice, Den Haag; Head of Delegation; Hans Nelen, Ministry of Justice, Den Haag.

Nigeria

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Pakistan

Zia Ispahani, Ambassador of Pakistan; Head of Delegation; Ilyas Mehmood Mohsin, Additional Secretary, Ministry of Interior.

Poland

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Portugal

Gabriel L. Catarino, Directeur général adjoint de la Police Judiciaire; Head of Delegation; Eduardo Dias Costa, Inspecteur de la Police Judiciaire.

Romania

Vasiliu Feltes Eugen, Chief Prosecutor of the Criminal Prosecution and Criminalistic Division; Head of Delegation; Alexandru Ficiu, Senior Prosecutor, Control, Organization and Studies Division.

Russian Federation

Yuri Melnikov, Head, National Central Bureau, Interpol, Moscow; Ministry of the Interior; Head of Delegation; Yuri Matiushenkov, Vice Head of Section, Tax Police Department; Valery Pahomov, Head of Division, All-Russian Research Institute at the Ministry of Interior; Serguei Tarassenko, Second Secretary, Legal Department, Ministry of Foreign Affairs; Vladimir Koudriavtsev, Executive Board Member, ISPAC; Vice-President, Russian Academy of Sciences and International Society of Social Defence; Serge Voznesenski, Deputy Director, Department for Foreign Exchange Control on Current Transactions, Bank of Russia.

Saudi Arabia

Sultan A. Al-Angari, Assistant to the Director General, Research Center for Crime Prevention, Ministry of Interior; Head of Delegation; Abdulhakeem Al-Alsheik, Research Center for Crime Prevention, Ministry of Interior; Saud A. O. Al-Othman, Banking Examiner; Abdullah Al-Sowayan, Banking Examiner.

South Africa

C. L. Chris Fismer, Deputy Minister of Justice; Head of Delegation; Jan Swanepoel, Director, Office of Serious Economic Crimes; Petrus Johannes Botes, Private Secretary to Deputy Minister Fismer.

Spain

Carlos Lopez Riaño, Delegado del Gobierno para el Plan nacional sobre drogas; Head of Delegation; Eusebio Megias Valenzuela, Director general del Plan nacional sobre drogas.

Swaziland

A. D. Sitole, Superintendent of Police; Head of Delegation; Zaccheus Patrick Dube, Assistant Commissioner of Police.

Sweden

Dan Magnusson, Principal Research Officer, Economic and Organized Crimes, National Council for Crime Prevention

Thailand

Ackaratorn Chularat, Deputy Secretary-General, Council of State; Head of Delegation; Visoot Tuvayanond, Deputy Director-General, Department of Treaties and Legal Affairs; Penwan Thongdeetae, Senior Director, Bank Examination and Analysis Department, Bank of Thailand; Khemchai Chutiwongse, Chief, Provincial State Attorney; Phongthep Thepkanjana, Deputy Secretary-General, Office of Judicial Affairs, Ministry of Justice; Nopadol Somboonsub, Deputy Commissioner of Narcotic Suppression Bureau Police Department; Piyaphant Udomsilpa, Office of the Attorney-General; Pongpanu Svearundra, Chief of Monetary Policy and Technical Section, Ministry of Finance; Sorasak Meenatoree, Chief of Narcotics Enforcement Sub-Division, Prevention and Suppression Division, Thai Customs Department; Surachai Chantrarangsan, Senior Legal Advisor, Office of Narcotic Central Board; Thawon Chaowichart, Legal Officer, Department of Judicial Affairs, Ministry of Justice.

Tunisia

Faouzi Ben Abdelkader, Substitut du procureur général près de la Cour d'Appel de Tunis; Head of Delegation; Jamila Khediri, Vice-président du Tribunal de Ière Instance de Sousse; Arbi Ouertani, Directeur au Ministère de l'Interieur.

United Kingdom of Great Britain and Northern Ireland

Peter Vallance, Head of Confiscation Section, International Criminal Policy Division, Home Office; Head of Delegation; Cedric James Woodhall, Senior Officer, H.M. Customs Service; William C. Gilmore, Head, Department of Public International Law, University of Edinburgh; Cyril Whelan, Crown Advocate of the Royal Court of Jersey.

United Republic of Tanzania

Lawrence K. Kaduri, Senior State Attorney, Attorney General's Chambers; Head of Delegation

United States of America

Michael De Feo, Senior Counsel for International Law Enforcement, United States Department of Justice; Riccardo Olivieri, Customs Attaché, U.S. Customs Service, Department of the Treasury.

Venezuela

Myriam Prado, Consejero de Embajada de Venezuela; Head of Delegation

United Nations

Crime Prevention and Criminal Justice Branch, United Nations Office at Vienna, United Nations International Drug Control Programme, United Nations Interregional Crime and Justice Research Institute

Affiliated and associated institutes

European Institute for Crime Prevention and Control, affiliated with the United Nations, Latin American Institute for the Prevention of Crime and the Treatment of Offenders, African Institute for the Prevention of Crime and the Treatment of Offenders, Arab Security Studies and Training Centre, Australian Institute of Criminology, International Centre for Criminal Law Reform and Criminal Justice Policy, International Institute of Higher Studies in Criminal Sciences

Intergovernmental organizations

Commonwealth Secretariat, Council of Europe, Financial Action Task Force, International Monetary Fund, International Criminal Police Organization/Interpol, Organization of American States/Inter-American Drug Abuse Control Commission, World Bank

Non-governmental organizations in consultative status with the Economic and Social Council

International Association of Penal Law, International Society of Social Defence (category II)

Other organizations

Transparency International, European Documentation and Research Network on Cross-Border Crime

Conference organizing bodies

International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Programme (ISPAC); Adolfo Beria di Argentine, Chairman, Executive Board; Secretary-General, Centro Nazionale di Prevenzione e Difesa Sociale and International Society of Social Defence; Honorary Attorney-General, Supreme Court of Italy; M. Cherif Bassiouni, Executive Board Member; President, International Association of Penal Law - IAPL and International Institute of Higher Studies in Criminal Sciences - ISISC; Vladimir Koudriavtsev, Executive Board Member; Vice-President, Russian Academy of Sciences and International Society of Social Defence; G. O. W. Mueller, ISPAC Standing-Rapporteur; Distinguished Professor of Criminal Justice, Rutgers University; Vice-President, International Society of Social Defence; Ernesto U. Savona, Secretary and Standing-Coordinator of the ISPAC Functional and Resource Committees; Professor, National Institute of Justice, United States Department of Justice; University of Trento, Italy; Fondazione di Courmayeur Mont Blanc; Lodovico Passerin d'Entreves, President; Carlo Artaz, Member of the Administrative Council; Adolfo Beria di Argentine, Member of the Administrative Council; Giovanni Maria Flick, Member of the Scientific Committee; Lukas Plattner, Member of the Administrative Council; Livia Pomodoro, Member of the Scientific Committee; Roberto Ruffier, Member of the Administrative Council; Centro nazionale di prevenzione e difesa sociale (CNPDS); Adolfo Beria di Argentine, Secretary-General; Livia Pomodoro, Deputy Secretary and Director-General; Giovanni Maria Flick, Secretary of the Scientific Council; Alberto Bugge, Member of the General Secretariat; Paolo Dondina, Member of the General Secretariat; Guido Brignone, Member of the General Secretariat.

Annex III

LIST OF DOCUMENTS*

Background documents

DeFeo, Michael A. and Savona, Ernesto U.; *Money trails: International money-laundering trends and prevention/control policies.* (Topic 1.); European Institute for Crime Prevention and Control affiliated with the United Nations; *Money trails: International money-laundering trends and prevention/control policies.* Summary of the paper; Hallett, A. J. Hughes; *Developed/developing countries and economies in transition. Criminal opportunities for the laundering and use of the proceeds of crime.* (Topic 2.); Hogarth, John; *Mechanisms of international control (multilateral and regional arrangements).* (Topic 3.); Noble, Ronald; *Mechanisms of international control (the Financial Action Task Force Recommendations and their Implementation).* (Topic 3.); Bernasconi, Paolo; *Assessment of crime control policies.* (Topic 4.); Levi, Michael; *Assessment of regulatory policies.* (Topic 5.); Bassiouni, M. Cherif; *Technical cooperation in preventing and controlling the laundering and use of the proceeds of crime.* (Topic 6.).

Contributions of Member States

Argentina. *Consideraciones sobre lavado de dinero*

Argentina. *Necesidad de establecer una legislación autónoma que tipifique el delito de lavado de activos*, by Professor Patricia M. Llercha

Australia. *Short position paper addressing the several themes in the draft agenda for the ISPAC Conference on Money-Laundering*

Austria. *Position paper*

Brazil. *Money-laundering: the problem in Brazil and Latin America*, by José Arthur Rios

Canada. *Overview of Canadian legislation*, by Liliana Longo, Department of Justice

China. *Position paper*

Colombia. *Elementos y caracteristicas del blanqueo de dinero*

Colombia. *Colombia's Policies against Money-Laundering: the Colombian Financial System Action*, by the Colombian Banking and Financial Entities Association

Gambia. *Africa - A Dynamic Centre for Money-Laundering: the Gambian Perspective*

Greece. *Legislation of Greece relating to anti-money-laundering requirements* by Alexandros Metaxas, Head, Public Prosecutors' Office, Piraeus Court of Appeals

Italy. *Position paper*

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*All these documents are available from the Crime Prevention and Criminal Justice Branch, VIC, P.O. Box 500, A-1400, Vienna.

Japan. *Position paper*

Malta. *Position paper, presentation by Hon. J.M. Fenech BA(Hons)LLD MP, Minister of Justice*

Mexico. *La simulación fiscal y el proceso de lavado de dinero*

Poland. *The prevention and combatting of dirty-money-laundering and of the utilisation of criminal revenues (overall view)*, Ministry of Justice

Venezuela. *El Lavado de Dinero Proveniente del Trafico Ilicito de Estupefacientes y Psicotrópicos en la Legislación Venezolana*

Contributions of the United Nations

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United Nations Interregional Crime and Justice Research Institute (UNICRI). *Preventing and controlling money-laundering and the use of the proceeds of crime*

Contributions of affiliated institutes

African Institute for the Prevention of Crime and the Treatment of Offenders; *Preventing and controlling money-laundering and the use of the proceeds of crime in Africa*; International Centre for Criminal Law Reform and Criminal Justice Policy; *The proceeds of crime: problems of investigation and prosecution*, by John L. Evans.

Contributions of intergovernmental organizations

ICPO/Interpol. *The history of INTERPOL*, by Patrick D. Dorsey, Head of the FOPAC Group; International Monetary Fund. *The International Monetary Fund's role in preventing money-laundering activities*, by Vito Tanzi, Director, IMF; FATF. *Annual Report 1993-1994*; OAS/CICAD. *Model regulations concerning laundering offences connected to illicit drug trafficking and related offences*; OAS/CICAD. *Presentation of the Executive Secretary*; South Pacific Forum on Law Enforcement Cooperation; *Declaration*.

Contributions by other organizations

Transparency International; *Money-laundering: a threat to sustainable development*

Contributions by individual experts

Fisse, Brent; *Money-laundering, regulatory strategy and internal corporate controls*; Flick, Giovanni Maria; *Prevention and control of money-laundering: the prospectives and limits of the use of penal instruments* (paper submitted in Italian); Masciandaro, Donato; *Money-laundering, banks and regulation: an economic analysis*; Pansa, Alessandro; *Economic system and financial management of a clan of the "ndragheta"* (paper submitted in Italian); Siclari, Bruno; *Intervention on money-laundering* (paper submitted in Italian); Turone, Giuliano; *The strategies against the criminal economy: from the investigation of property to the confiscation of unjustified assets*.